IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

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WRIT PETITION NO : 7526 of 1997

Between:

Artos Breweries Limited, Sri R.Muthukumaran, S/o R.Rangathan,
Ramachandrapuram-533255, East Godavari District(AP), Rep by its General
Manger and POA,
R/o Hyderabad.

..... PETITIONER

AND

1. The Commissioner of Prohibition and Exercise, Government of

A.P., Nampally, Hyderabad.
2. The Director of Distilleries and Breweries, Government of A.P.,
   Nampally, Hyderabad.
3. The Brewery Officer Incharge of Artos Breweries Limited,
   Ramachandrapuram, East Godavari District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ of Mandamus or any other appropriate writ, order or orders (i) declaring the order of the Government in reference No.1467/Ex.III(1)/96-4 dated 18-10-1996 insofar as directing the Respondents 1 & 2 to realise the Exercise Duty and Sales Tax dues on the beer being drained out of brewery due to sedimentation as illegal, arbitrary and without jurisdiction and interdict the respondent authorities from collecting Excise Duty and Sales Tax thereon and ii) direct the respondent authorities to permit the petitioner to drain out the 5725 H.L.in Tanks and 20126 cases of Finished Product of spoiled or damaged beer from its brewery forthwith.

Counsel for the Petitioner: Mr Chakrapani Rep. By MR.S.JANARDHAN REDDY

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following:

ORDER:

MR Chakrapani Represented by Mr S.Janardhan Reddy stated that the Writ Petition became infructuous.

Accordingly, the Writ Petition is hereby dismissed as infructuous. No order as to costs.

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22-12-2004

kvrm

To

1. The Commissioner of Prohibition and Exercise, Government of

A.P., Nampally, Hyderabad.
2. The Director of Distilleries and Breweries, Government of A.P., Nampally, Hyderabad.
3. The Brewery Officer Incharge of Artos Breweries Limited, Ramachandrapuram, East Godavari District.

4. 2 CCs to G.P for Prohibition and Excise, High court Buildings,

Hyderabad OUT)

5. 2 CD copies.